

MAY - 2 2014

UNITED STATES DISTRICT COURT

for the

Northern District of New York

LAWRENCE K. BAERMAN, CLERK
ALBANY

UNITED STATES OF AMERICA

v.

BAKHT KHAN

Defendant

Case No. 1:14-M-152 (CFH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 24, 2013 in the county of Rensselaer in the
Northern District of New York, the defendant(s) violated:

Code Section
21 U.S.C. § 813, 846, 841(a)(1), and
(b)(1)(C)

Offense Description
Conspiracy to Distribute a Controlled Substance Analogue – XLR-
11

This criminal complaint is based on these facts:
See attached Sheet

☒ Continued on the attached sheet.



Complainant's signature

Caitlin J. Ostrowski, Task Force Officer, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: May 2, 2014



Judge's signature

City and State: Albany, New York

Christian F. Hummel, U.S. Magistrate Judge


Printed name and title

State of New York)
)
County of Albany)

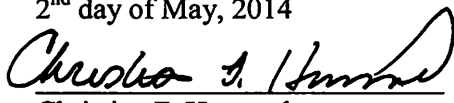
I, Caitlin J. Ostrowski, being duly sworn, depose and say:

I am a Deputy Sheriff with the Rensselaer County Sheriff's Office, and have been since 2007. Since 2008, I have also been a Task Force Officer with the Drug Enforcement Administration. I have received specialized training pertaining to narcotics trafficking, undercover operations, surveillance tactics, interviewing, informant handling, and tactical searches and arrests. I have also participated in several investigations regarding drug trafficking offenses including violations of Title 21, United States Code, Sections 841(a)(1) and 846. I make this affidavit as part of my criminal complaint against Bakht Khan ("KHAN"). The facts set forth herein are based upon my own knowledge as well as conversations with other law enforcement agents.

1. On January 23, 2013, the United States Postal Service intercepted two express mail packages, total weight approximately 68 pounds, containing suspected synthetic marijuana. Both packages were addressed to "Bakht Khan," at an address in Troy, New York.
2. This synthetic marijuana was subsequently analyzed and found to contain XLR-11, a synthetic cannabinoid that mimics the effects of THC, the active ingredient in marijuana. When XLR-11 is sprayed onto dried herbs, creating herbal incense, and consumed by smoking or oral ingestion, it produces psychoactive effects similar to those of marijuana.
3. KHAN went to the Post Office in Troy to pick up the packages. KHAN subsequently waived his Miranda rights, spoke with investigators, and stated that he was expecting the two packages to arrive and that he had agreed to deliver them to another individual. KHAN stated that he understood the substance to be "the same as marijuana" and that it "got you high."


Caitlin J. Ostrowski
Task Force Officer, DEA

Sworn to before me this
2nd day of May, 2014


Christian F. Hummel
United States Magistrate Judge